

# EXHIBIT D

Donald Cox - December 03, 2019

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF WEST VIRGINIA

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DIANA MEY, CRAIG CUNNINGHAM,	:	
STEWART ABRAMSON and JAMES	:	
EVERETT SHELTON, individually	:	
and on behalf of a class of	:	
all persons and entities	:	
similarly situated,	:	
	:	
plaintiffs,	:	
	:	
vs.	:	CASE NO.
	:	5:17-cv-00179-JPB
DIRECTV, LLC, et al.,	:	
	:	
defendants.	:	

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The videotaped deposition of Donald Adam Cox was taken by me, Denise Shoemaker, a Notary Public in and for the State of Ohio, on Tuesday, December 3, 2019, at the approximate hour of 10:00 a.m., located at the Southern Ohio Welcome Center, 342 Second Street, Portsmouth, Ohio.

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1 were successful kind of be on those panels?

2 A No. Mostly it was all corporate people.  
3 I think sometimes where they made a mistake is they  
4 should have reached out to some of those bigger  
5 retailers on communicating and talking and figuring  
6 out why and how they were doing things, but it was  
7 never really a question. I mean, you just had to say  
8 that you were door knocking. That's all you had to  
9 say.

10 Q There were other retailers that you  
11 would meet at these conferences who would be  
12 telemarketing and they would just say, you got to  
13 tell people at DirecTV you're door knocking, is  
14 that -- am I right about that?

15 A Oh, yeah, yeah. You would cover your  
16 stories and make sure no one ever said anything about  
17 calling. I would never take anybody stupid enough to  
18 say anything dumb around anybody important anyways.  
19 But everybody knew that they had to lie about it,  
20 unfortunately.

21 Q How many do you know about would  
22 telemarket for DirecTV but not tell DirecTV they were  
23 doing it?

24 A How many total do I know about?

1 Q Yes.

2 A At one time or another, or still do it  
3 currently?

4 Q Maybe at one time or another, let's go  
5 with that.

6 MR. STEINMETZ: I'm going to make a  
7 foundation objection.

8 Q You can answer.

9 A I would say probably, that I know of,  
10 three or four, maybe five.

11 Q That were using telemarketing, but were  
12 basically telling DirecTV that they were door  
13 knocking?

14 A Yeah.

15 Q You don't need to give me the names of  
16 them, but were they pretty successful retailers such  
17 as yourself?

18 A When they did it, they were. Then you  
19 see when they stopped doing it. When they would stop  
20 doing it, the only reason they would stop doing it is  
21 when they would lose people that worked -- there's a  
22 lot of stealing of people, man, in between the  
23 retailers in this area. There was a lot of, this  
24 manager worked for me at this point, this manager

1 left me to go work for Mike.

2 I mean, Shawn Lamb's worked for Mike,  
3 me, Mike currently. So he went from -- Shawn hired  
4 me at Steel Security and trained me and Mike. Mike  
5 opened up his own store. I went to work for Mike.  
6 Shawn ended up coming to work for us. So the guy  
7 that hired us in Ashland that showed us how to do it  
8 ended up coming to work for us to do it for us.

9 So then I left Mike and opened my own,  
10 and Shawn ended up coming to work for me and Dave  
11 took over the responsibilities that Shawn did at  
12 North Kentucky. Now, Shawn left and went to work for  
13 a different company that was doing cell towers or  
14 something, a whole different job. David left Mike  
15 and came to me. Then Shawn came back from the cell  
16 tower job and went back to Mike's.

17 I mean, it was just like, hey, we're in  
18 seventh grade. I'm going to date this girl for a  
19 week, and then you date her, and then she'll come  
20 back to me type scenario.

21 Q Anybody other than Steve Shapiro at  
22 DirecTV tell you they didn't want to know how you  
23 were generating sales?

24 A Steve didn't say he didn't want to know.

1 Steve just said -- you know, he never dug. I mean,  
2 he never dug into it. He just would say, you got  
3 your door knockers out. I mean, it was all about the  
4 bottom line. It wasn't about -- I mean, there wasn't  
5 really questions about how. I think everybody knew.  
6 I think everybody just didn't say. Because, I mean.

7 Q In your opinion, did they know?

8 MR. STEINMETZ: Calls for speculation.

9 Q You can answer.

10 A In my opinion did DirecTV know?

11 Q Yes, that you were using telemarketing.

12 A No. Did Steve know? Speculating, yes.

13 Q Anybody else at DirecTV that you believe  
14 knew?

15 A No. Never got that far. Never ever got  
16 that far. I mean, I never had to worry about it.  
17 Even after the lawsuit came out and they kept us on  
18 board for a while, we still continued to do business.  
19 We just didn't call anybody that was on the do not  
20 call list.

21 I mean, even after -- I mean, I couldn't  
22 stop. I couldn't stop. There's no way you can stop.  
23 Once you're in, you're in. I mean, once we -- I  
24 mean, there was 20 people working for me. We were

1 have told Steve, he would have been forced to do what  
2 he did with North Kentucky Satellites. You can look  
3 at the records.

4 When Steve Shapiro took North Kentucky  
5 Satellites out of -- they're called North Kentucky  
6 Satellites. That's Steve Shapiro's region. Now  
7 they're in Ohio, which their manager's up in  
8 Cleveland and never comes to visit. Why did Steve  
9 get him out of his? Because he knew they were  
10 telemarketing. He knew Mike was telemarketing, and  
11 Mike wouldn't stop. So he wanted to wash his hands.

12 He even made Mike sign a thing that  
13 said -- I remember to this day that he made Mike sign  
14 a paper that said that I am not responsible for any  
15 telemarketing. And if you're telemarketing, that is  
16 on you. He made Mike sign a personal paper, Steve, I  
17 remember it. And then Mike went to work under a  
18 different manager that continued to turn a blind eye.

19 Now, Steve -- Mike put Steve in a  
20 position that he couldn't turn. I didn't want to put  
21 Mike in that -- or Steve in that position so I never  
22 told him. Mike told him. Mike was honest with him  
23 about it, and Steve got rid of him out of his region.  
24 It's not like Steve wouldn't have done the same to